

Town of Amenia
Comprehensive Plan Implementation Committee
April 3, 2006

Present: Mark Doyle, Rudy Eschbach, Dolores Holland, Darlene Riemer, Tony Robustelli, Joel Russell.

Residents and guests attending included: Rich Rennia (representing Troutbeck), Allen Shope, Tom Werner, Tony Robert, Amenia Fish and Game

The meeting opened with the reading and approval of the minutes of March 27.

M. Doyle said that he had requested maps of all existing mines from the DEC but had been told that he needed to 'FOIL' the agency - he did so on 4/3. As to Sharon Kroeger's request for consideration of the Hamlets, J. Russell suggested that the issue be discussed at the April 22 meeting.

On the agenda for the evening was a discussion of the resort overlay zones.

Rich Rennia spoke first: he stated that Troutbeck would not fit into a resort overlay, as it is written for a larger development which would derive its income from open spaces such as a golf course, equestrian club, hunting club, etc. Troutbeck, is more a service type resort in nature, including lodging, restaurants and spa facilities and possibly small shops - their parcel is a 43 acre piece and a resort overlay is designed for 200 acres. He added that 'Hamlet Mixed Use' would be the perfect designation for what Troutbeck is trying to do as 'Hamlet Residential' does not allow for lodging facilities. M. Doyle asked for a description of the overall future plans for Troutbeck. R. Rennia said the first step will be to put in a full service spa and exercise facility (a building of approximately 6000 to 7000 sq ft), followed by a 24-suite unit (consisting of four two-story buildings which will replace the 'sentry' house)- these plans are on the table now.

He stressed the point that the spa would be available to residents of the area, rather than being exclusively for the use of guests.

The main building will be brought up to code and rooms changed to suites. As for the future, nothing has been decided as the owners are not certain how the new zoning will affect them.

M. Doyle asked for the boundaries of the new development and how it would affect neighbors. R. Rennia said that the development would allow someone on Leedsville Road and Rte 343 to establish, for example, a small farm market, for which the area is ideally suited. R. Eschbach

added that he had not heard any objections or negative comments from his neighbors who like having Troutbeck in the area.

J. Russell said that, when the resort overlay zones were considered, it was thought that they would be applicable to Silo Ridge and Troutbeck . It now appears that other designations have to be found for Troutbeck - he felt that some variation of a Hamlet concept might work as the entire parcel would be 'walkable' - one of the conditions of HMU- and the development would contribute to making Leedsville a more active and viable hamlet.

D. Riemer asked whether a golf course was still being considered - R. Rennia said that, as far as he knows, the current owners/shareholders had no plans for such a development at this time. R. Eschbach said that, should the plans be revived at a future date, the Town has to be prepared to allow them to proceed without undue complications for Troutbeck. J. Russell suggested that Troutbeck and R. Rennia should submit all plans to the Committee in writing in order to give them something concrete to react to and make adjustments accordingly.

Allen Shope handed out a flyer which reflects the gist of the presentation he gave to the committee and which (with approval by M. Doyle) is transcribed below:

SIX COMMENTS ON THE PROPOSED MASTER PLAN AND RELATED ZONING:

1. Please have the Master Plan say, in simple terms, what you would like for this site. If you would like the institution to close and for this property to have a new use... say it. If you would like the institution to remain forever and to grow...say it. One of the first things we were asked when talking about this property to anyone about this property to anyone working for the state is, "What does the Town Master Plan envision for this property. The Master Plan say (sic) in simple, clear terms, what we would like. I believe that the Master Plan should say that we would like the institution to close as soon as practicable, and the site should be redeveloped as a whole, if possible, to include a mixed use of residential and other uses traditionally associated with a residential community such as small professional offices and retail spaces on a village scale. The point is not what I would like.. the point is to say simply and clearly in the Master Plan hat the 'community wish' is.

2. Do not define zoning with an established plan. Have your zoning reflect whatever you would like for the site and leave it up to the developer to satisfy our zoning requirements. I work on zoning projects all over the world and I am intimately familiar with zoning liability

issues. When towns adopt intelligent zoning, it works. When towns adopt a specific plan of development they become responsible for the success or failure of the project which is not a position you want to be in. Write intelligent zoning...stay out of the design business.

3. Do you really want a "transit oriented development"? This is concept that has been a pet project of John Clark for years. It is not necessarily a bad concept. It is not anything that anyone ever talked about at any of the public meetings for our Master Plan. The nature of a "transit oriented development" is that you will build a greater number of smaller housing unit for younger people who will like be at a stage in life of having families and that those people will get on the train in the morning and go somewhere else to work and then return to Amenia in the evening to live. The concept of a suburb in its purest form. This type of development will maximize the burden on town infrastructure and will have very little chance of being "tax positive"

for the community. While I may be the owner of the portion of this property that is currently in private hands, and while it will sound odd that I would lobby for less...I believe that less is best for the community. I like the idea of mixed use residential development ...and I like the idea if trying to deal with this property as a whole..I also believe that the community would be best served with a high end, residential community incorporating wonderful recreational components, small professional offices for the semi-retiring 45-75 person who would like to walk to work, a small amount of retail space sized to service the new community, clustered units allowing for beautiful view and easy access to recreational area, I like the preservation area proposed in the new zoning. I thought the people of Amenia had the right ideas for this property...and am not quite sure how we arrived at a "transit oriented development".

4. Be careful of the concept of a "tax positive" development. It is a nice idea. On a practical basis it is almost impossible to prove and is something

that i often times used by people trying to stop a project and the basis for a las suit against a developer and against a town. The most problematic part of it is that the courts around the country are forcing towns that use this concept in their zoning to use it for all projects and not allowing it to be used selectively. This concept will get everyone in trouble in the long term. If you are going to use it, ..get some advice from Town Attorneys in communities that have done it and make sure that you impose it for all projects in the community equally. The courts will not uphold the concept that one project has to be "tax positive" as a zoning requirement while another project across the street may be "tax negative" because it is arbitrarily not subject to equal zoning. I don't believe that zoning should be in the tax

business...I believe that it should confine itself to the land use business and associated approval process.

5. Revise the wording of the proposed zoning to allow for residential units, 60% of them with 3 bedrooms, 20% of them with 2 bedrooms... and allow all of them at whatever density you wish to be clustered in some appropriate manner to replace the existing campus. Do not insist that they be built down near the train tracks.

6. No developer thinking about this project is going to be able to make the terms of the WORK FORCE HOUSING SECTION 121-42 work with a high end community. The concept of work force housing is noble... you shouldn't abandon it in the new zoning, but you should approach it in a way that it doesn't become the reason that your Master Plan Goals don't become realized. A developer isn't going to incorporate 10% affordable housing into a private community of homes that will sell for one to four million dollars each. Other communities have established affordable housing goals and created a means for developers to either build a separate group of affordable units, or to make a per unit financial contribution to be used for work force housing. In my architectural travels, I have never seen a number as high as 10% for this ever... in making this decision recognize that the courts will eventually force whatever the number is to be enforced equally on all projects.

It was suggested that new zoning should incorporate the entire Campus, both privately held and State owned, and treat it as a unit.

Joel Russell and the Committee commented that they did not see Mr. Shope's plans and those of John Clarke being mutually exclusive. They did not feel that Mr. Clarke's plan would be binding in any way, rather more of a conceptual guide.

The subject of gravel mining was brought up and A. Shope said that the zoning for gravel mining, as it stands, will allow him to mine on a property he owns and that it is a perfect setup in that there are no neighbors who might be disturbed by the operation. He will be talking to Henry Paparazzo and offer him a trade of this property for the one under discussion now (see Minutes of March 27, 2006) the quality of the gravel being equal on both properties, and because he feels strongly that the Paparazzo parcel should be preserved as open land/corn field.

Tony Robert asked whether a letter would be sent out to each land owner whose property might be affected by the new zoning. M. Doyle said that he is exploring a computer program which would make that possible but T. Robustelli said that, since most people do not know what their current zoning is, that might not be of much help. J. Russell added

that such a mailing (telling everyone what the current zoning is and what changes are being considered) would be highly impractical.

D. Riemer asked, if a map with all the planned zoning changes - clearly defined- would be helpful. Tony Robert felt it would not be and added that people would not show up to meetings either unless they knew in advance that their property would be affected.

Tony Robert a member of Amenia Fish and Game also wanted to know how the zoning for the parcel occupied by AF&G would be changed. His impression was that it would change from an industrial piece to an RA piece which he believes would lower its value. J. Russell explained that the proposed RA zoning is different from the old AR in terms of what it allows - such as membership clubs, recreation etc. - most of the things that club is doing now or may want to do in the future. He does not believe that there is a demand in the area for industrial use.

M. Doyle said that problems might arise in case the property now occupied by the club is sold. T. said that the club has been in the same location since the 1930 and was not likely to move or the property be sold. J. Russell said that T. made a point which needs to be addressed.

Preparations for the April 22 meeting were discussed next. Mailings will be sent (Postal Patron) in time to arrive one week prior. Roadside signs have to be set up. Refreshments will be provided - someone needs to pick them up and deliver them to the school. D. Holland offered to attend to that.

M. Doyle said that the main issues for the meeting will be conservation analysis and subdivisions- in response to some of the letters received by the committee.

J. Russell said there will be little presentation and more discussion, answering questions, etc. He added that Hamlet designations are another important subject to cover because the hamlets are so different from each other in character and residents have different concerns. D. Riemer said that many of the definitions/restrictions are already in the Action Amendments.

J. Russell felt it was important to include some strong wording in the flyer regarding the possible zoning changes to individual properties with the purpose to compel people to attend the meeting. He pointed out, however, that it will be impossible to respond to each question regarding specific properties.

M. Doyle will provide a map which will answer many of the residents' concerns about mining.

M. Doyle asked J. Russell to provide alternatives to the Historic District designation and asked him to prepare a few key points for the committee to discuss during the April 17 meeting. J. Russell suggested

that future meetings could be held in other hamlets to get more input and information.

Callanan gravel was briefly discussed: M. Doyle spoke with a representative of the DEC and asked whether it was likely that Callanan is planning quarrying operations in Amenia - the response was that the parcel is too small compared to their other properties and would probably not be worth their while.

M. Doyle said that he and J. Russell had met with B. Houlihan of Sand and Stone Associates and spent about two hours touring the property and discussing future plans. B. Houlihan reiterated that his client would be amenable to reclaiming the land for agricultural use. M. Doyle said that putting a pond in the location for recreational purposes was another possibility which was discussed. J. Russell added that they were also considering a 'designed' landscape.

A concern is the location of the boundaries which need to protect neighboring properties.

A processing plant was discussed but B. Houlihan said that at this time the company has no plans to process on-site. He will get back to the Committee with a plan - M. Doyle countered by suggesting that the Committee propose a conceptual plan that residents might support instead and present it to the company for discussion.

The next CPIC meeting is scheduled for April 17 at 7:00 PM.

Submitted by Monique Montaigne
April 15, 2006